APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,103	01/19/2001	Kenichi Kurata	Q62224	4519

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EXAMINER
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ART UNIT	PAPER NUMBER
3688	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/764,103	KURATA ET AL.
	Examiner	Art Unit	
	DANIEL LASTRA	3688	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 May 2008</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>71-74,76 and 78</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>71-74,76,78</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 71-74, 76 and 78 have been examined. Application 09/764,103 (Image-

forming system employing a cartridge and providing a benefit to a user) has a filing date

01/19/2001 and claims foreign priority# 2000-014050 (01/19/2000).

Response to Amendment

2.   In response Non Final Rejection filed 01/10/2008, the Applicant filed an

Amendment on 05/06/2008, which amended claims 71, 76 and 78.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 71-74, 76 and 78 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Shima (US 2002/0004802) in view of Walker (US 6,494,562).

As per claims 71, 76 and 78, Shima teaches:

a web page containing a plurality of thumbnail images corresponding to a

plurality of sample printing data (see Shima paragraph 168) *which are prepared in the*

server in advance of the accessing from the client (see paragraph 55, 130 "image that

can be executed by the printer"). d;

reading printing environment information from a storage of the image-forming apparatus at the client (see <u>Shima</u> paragraph 168);

transmitting the read printing information from the client to the information-providing server (see <u>Shima</u> paragraphs 168-170);

displaying the transmitted web page at the client (see <u>Shima</u> figure 12);

inputting into the client a user's selection of one the thumbnail images displayed on the web page (See <u>Shima</u> paragraph 170);

displaying a set of printer properties and printing medium appropriate on the basis of the transmitted printing environment information and the selected thumbnail image of the client (See <u>Shima</u> paragraphs 168-170);

selecting a printing mode and a printing medium desired by a user based on the displayed set of printer properties and the displayed printing medium at the client (See <u>Shima</u> paragraphs 168-170);

creating printing data on the basis of the selected printing mode and the selected printing medium at the server (See <u>Shima</u> paragraphs 168-170);

transmitting the printing data, which is to be supplied to the image-forming apparatus from the server to the client (see <u>Shima</u> paragraph 173)

supplying the printing data received from the information-providing server to the image-forming apparatus from the client and processing the printing data received from the information-providing server via the client to perform printing (See <u>Shima</u> paragraphs 168-170).

Wherein the image forming apparatus is locally connected to the client (see paragraph 6).

Walker teaches:

reading the cartridge ID and the URL from the memory element of the cartridge at the client (See Walker col 9, lines 40-60);

accessing the read cartridge ID from the client to the information-providing server (see Walker col 9, lines 40-60);

transmitting a web page according to the transmitted cartridge ID, from the server to the client (see Walker col 9, lines 40-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Shima would use the URL address stored in the memory of a printer cartridge, as taught by Walker in order to provide a printing system that eliminate the need for machine dependent driver software by using hypertext information retrieval environment (i.e. web server function).

As per claim 72, Walker teaches:

wherein the information-providing server has the web page corresponding to the cartridge ID, the method further comprising: automatically accessing the web page corresponding to the cartridge ID which is in the memory element of the cartridge and has been read by the image-forming apparatus (see Walker col 9, lines 10-60). In Walker, the "reseller identification information" functions as a user's password in order that a user is able to connect to a reseller (see Walker col 9, lines 35-40).

As per claim 73, Walker teaches:

wherein a password for permitting access to the information-providing server by the client are stored in the memory element, the method further comprising: reading the password from the memory element of the cartridge at the client, and transmitting the password inside the memory element of the cartridge, which has been read by the image-forming apparatus, to the server in response to an inquiry sent from the information-providing server, thereby connecting to the server (see Walker col 9, lines 10-60). In Walker, the "reseller identification information" functions as a user's password in order that a user is able to connect to a reseller (see Walker col 9, lines 35-40).

As per claim 74, Shima and Walker fail to teach:

wherein a range of permitting the access in the information-providing server is set to a range, which is different depending on the password. However, Official Notice is taken that it is old and well known in the computer art that different password allow different range of access to data. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Shima and Walker would different range of accessing a host server, as it is old and well known in the art to have different level of access to data.

Response to Arguments

4.   Applicant's arguments filed 05/06/2008 have been fully considered but they are not persuasive. The Applicant argues that Shima does not a system where a client has a locally connected printer. The Examiner answers that Applicant's specification teaches in page 40, lines 15-20 that a printer can be connected in a local fashion to another computer through use of a parallel cable and also by way of LAN. Shima teaches

connecting computers to printer using LAN (see paragraph 6). Therefore, contrary to Applicant's argument, <u>Shima</u> teaches the "locally connection" limitation.

The Applicant argues that <u>Shima</u> does disclose that concrete printing environment information is included in a request. The Examiner answers that <u>Shima</u> teaches in paragraph 10 "control information" which includes set up values. Therefore, contrary to Applicant's argument, <u>Shima</u> teaches Applicant's claimed limitation.

The Applicant argues that <u>Shima</u> fails to teach "displaying a set of printer properties and printing medium appropriate on the basis of the transmitted printing environment and the selected thumbnail image at the client". The Examiner answers that <u>Shima</u> teaches generating a web page having resource information related to processing items that can be processed by the printer" (see paragraph 47). Therefore, contrary to Applicant's argument, <u>Shima</u> teaches Applicant's claimed limitation.

The Applicant argues that <u>Shima</u> fails to teach "creating printing data on the basis of the selected printing mode and the selected printing medium at a server". The Examiner answer that <u>Shima</u> teaches that the web server generate web page, where said web page list the processing the patterns that can be processed by the printer (see paragraph 70) so the user can select the optimum image condition (see paragraph 146). Therefore, <u>Shima</u> teaches Applicant's claimed limitation.

The Applicant argues that <u>Shima</u> fails to disclose that printing data is created in the server because thumbnail images sent from the information terminal are image only for display and different from the printing data for performing printing by the printer. The Examiner answers that <u>Shima</u> selects the optimal image by comparing the thumbnail

images on the screen and by selecting the optimal image with a pointing device, a desired image read is executed, such a thumbnail images to show prediction of the processing result can be listed on the screen before actual, formal image read is executed, so that desired image can be processed (see paragraphs 146-152). Therefore, contrary to Applicant's argument, <u>Shima</u> teaches Applicant's claimed limitation.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720 and fax 571-273-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The official Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Raquel Alvarez/
Primary Examiner, Art Unit 3688

/DANIEL LASTRA/
Art Unit 3688
July 12, 2008